

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

WYKANUSH VENTURES LLC, *et al.*,

Plaintiffs,

v.

KARSTAN WALKER, *et al.*,

Defendants.

Case No. C21-5710-DGE-MLP

ORDER

Plaintiffs Wykanush Ventures LLC and TCAIXP LLC (“Plaintiffs”) filed this action on September 24, 2021. (Dkt. # 1.) On October 12, 2021, Plaintiffs served two of the three defendants: Karstan Walker and Kristopher Walker. (Dkt. ## 6-7.) On January 21, 2022, the Court ordered Plaintiffs to show cause by February 4, 2022, why this case should not be dismissed for lack of prosecution. (Dkt. # 12.) On January 25, 2022, Plaintiffs filed a motion for entry of default against Karstan and Kristopher Walker, which the Clerk granted on January 26, 2022. (Dkt. ## 14-16.) On February 2, 2022, Plaintiffs served the third and final defendant, Ronald Yauchzee. (Dkt. # 17.)

Plaintiffs responded to the show cause order on February 3, 2022. (Dkt. # 18-19.) Plaintiffs describe diligent but unsuccessful efforts in October 2021 to serve Mr. Yauchzee. (Dkt.

1 # 18 at 2-3.) Plaintiffs contend that because they have made diligent and ultimately successful  
2 efforts to serve Mr. Yauchzee, and obtained entry of default against Karstan and Kristopher  
3 Walker, this case should not be dismissed for lack of prosecution. (*Id.* at 4.) Plaintiffs state they  
4 are actively preparing the complex proof of damages that will be required for entry of default  
5 judgment. (*Id.* at 2 n.1.)

6 Plaintiffs acknowledge they failed to serve Mr. Yauchzee within 90 days of filing the  
7 complaint, as the Federal Rules of Civil Procedure require. *See* Fed. R. Civ. P. 4(m). However,  
8 pursuant to Rule 4(m), “if the plaintiff shows good cause for the failure, the court must extend  
9 the time for service for an appropriate period.” *Id.* The Court finds good cause here based on  
10 Plaintiffs’ identified efforts. Accordingly, the deadline for service is hereby EXTENDED to  
11 February 2, 2022. In addition, the Court finds Plaintiffs have adequately shown that this case  
12 should not be dismissed for lack of prosecution.

13 Dated this 7th day of February, 2022.

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15 MICHELLE L. PETERSON  
16 United States Magistrate Judge  
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